

REMARKS

Claims 1-84 are pending. Claims 3, 36, 39, 45 and 78 have been amended without narrowing their scope. Claims 1, 5, 7, 38, 40, 41, 43, 47, 48, and 80-84 are the independent claims.

Initially, Applicants request that the priority document acknowledgement section of the Office Action Summary be completely filled out in the next Office Action. Box 12(a)(1) was inadvertently not checked in the Office Action Summary of the most recent Office Action.

Claims 3, 36, 39, 45 and 78 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. The claims have been carefully reviewed and amended with special attention to the points raised in the Office Action. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1, 38, 43, 49-50, 78, 80-84 were rejected under 35 U.S.C. § 103(a) over Yamane (Patent No. 5,842,131) in view of Lee et al. (Patent No. 6,553,233). Claims 7, 41 and 48 were rejected under U.S.C. § 103(a) over Yamane in view of Sakoda et al. (Patent No. 6,021,125). Claims 4, 46 and 79 were rejected under 35 U.S.C. § 103(a) over Yamane in view of Lee et al. and further view of Persson et al. (Pub. No. 2003/0203723). Claims 5, 40 and 47 were rejected under 35 U.S.C. § 103(a) over Yamane in view of Persson et al. Applicants traverse and submit that the claims are patentable over the cited references for at least the following reasons.

The Rejection of Independent Claims 1, 38, 43, and 80-84

Yamane is directed to a system for confirming the position of a moving terminal. As such, it is directed to an entirely different goal from the above-listed independent claims, each of which relates to deciding a parameter such as the *installation position* of a base station, i.e., deciding *where a base station should be located* (i.e., installed), e.g., during cell design relating to base stations in mobile communication systems.

The Office Action identifies certain teaching in Yamane as allegedly showing the above-mentioned features of the independent claims. In particular, the Abstract, column 1, lines 50 to 65, column 2, lines 55 to 65 line and Fig. 1 are identified. However, these portions of Yamane merely discuss candidates as to in which base station area the moving terminal is located. Yamane contains no description relating to a candidate for the *installation position of the base station*. In fact, in Yamane, the position of any base station *is fixed*, and the cited portions are directed to calculating which area of the base station a moving terminal belongs to.

The present application, and particularly the above-listed independent claims, differ entirely from Yamane in that those claims are directed to deciding the position in which the base station *is to be installed*. In Yamane, the position of installation of the base stations is fixed, and there is no discussion as to how their installation location was originally decided.

For at least this reason, Yamane fails to teach the limitations of the above-listed independent claims and is, in fact, completely unrelated to base station installment.

Lee relates to technology for calculating the optimal number of base transceiver stations in a wireless network and for determining the loading factor value therefor. In Lee, as in Yamane, the position of the base station is fixed, which can be clearly seen from the description of "a given coverage area," at column 3 at line 26. A method is provided for obtaining the number of the transceivers installed at the predetermined position within the base station and the related loading factor value.

On the other hand, the above-listed independent claims of the present application are directed to a technology for deciding the installation position of the base station. Lee, which involves fixed base station locations, is also completely unrelated to the claimed invention and does nothing to remedy the above-noted deficiency of Yamane as a reference against the above-listed independent claims.

The Rejection of Independent Claims 7, 41 and 48

With regard to Yamane, that reference differs entirely from the present invention as defined in independent claims 7, 41 and 48 for the reasons described above, and at least because those independent claims are directed to deciding a location at which a base station is to be installed, whereas Yamane is a system for determining the position of a moving terminal in relation to *fixed* base stations.

Sakoda is directed to a system in which radio signals having identical information transmitted from a plurality of the base stations are all received in the terminal. These signals are synthesized to further improve the quality of communications. However, Sakoda does not remedy the above-noted deficiencies of Yamane as a reference against independent claims 7, 41 and 48. For at least this reason, those claims are patentable over Yamane and Sakoda, even when combined.

The Rejection of Independent Claims 5, 40, 47

With regard to Yamane, that reference entirely differs from the above-listed independent claims for at least the reasons described above in connection with the previously discussed independent claims. In particular, Yamane does not relate in any way to deciding a location at which the base station is to be installed, at least because the positions of the base stations are fixed in Yamane.

Persson obtains a signal having a high quality by synthesizing signals received separately in a plurality of antennas. However, Persson does not remedy the above-noted deficiency of Yamane as a reference against independent claims 5, 40 and 47. For at least this reason, claims 5, 40 and 47 are believed patentable over Yamane and Persson, either individually or in any combination.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

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Respectfully submitted,

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